

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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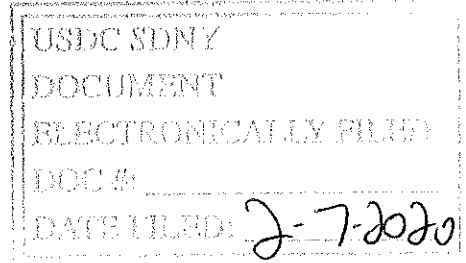
UNITED STATES OF AMERICA :

-v- :

JOSHUA ADAM SCHULTE, :

Defendant. :

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S-2 17 Cr. 548 (PAC)

ORDER

HONORABLE PAUL A. CROTTY, United States District Judge:

With respect to the Government’s letter of February 6, 2020 regarding the Wikileaks Task Force Report, the Court agrees that to the extent the defense shows the report to witnesses that the Government may elicit testimony from those witnesses about unredacted portions of the report. (*See* Dkt. 303.) The Government represents that it “does not intend to elicit testimony from any witness about any portion of the [Wikileaks Task Force] Report that has been redacted.” (Dkt. 303.)

The Government’s letter, however, does not address the issue the Government raised yesterday. (*See* Trial Tr., 386:20-387:10, Feb. 6, 2020.) In court, the Government suggested that cross-examination on portions of the Wikileaks Task Force Report would open the door to testimony concerning undisclosed assessments that the report is based on, including assessments that the Defendant was the one responsible. (*See* Trial Tr., 386:22-387:21, Feb. 6, 2020.) The Government is directed to disclose whether there are assessments that the Wikileaks Task Force Report relies on, which specifically name the defendant (or are based on the defendant) that the Government has not produced. To the extent such assessments exist, the Government is directed to produce them no later than 5:00pm on February 10, 2020. The Government is under a

continuing duty to disclose rebuttal information. 18 U.S.C. App. 3 § 6(f). Failure to do so may prohibit the examination by the United States of any witness with respect to such information.

Id.

Dated: New York, New York
February 7, 2020

SO ORDERED

A handwritten signature in black ink, appearing to read "Paul A. Crotty", written over a horizontal line.

PAUL A. CROTTY
United States District Judge